

III. REMARKS

Claims 1-28 are pending in this application. The following remarks are being made to facilitate early allowance of the presently claimed subject matter. Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claim priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-6, 8-9, 11-18, 20-21 and 24-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Webb et al. (USPN 6,877,661), hereinafter “Webb”, and claims 7, 10, 19 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb. Applicants respectfully traverse these rejections for the reasons that follow.

Applicants initially note that Webb does not qualify as a prior art reference by itself because it was filed later than the current application. The current application claims foreign priority to Japanese application number 2000_384420, which was filed on 12/18/2000. Applicants appreciate that the Office provided Provisional Application No. 60/225,805 (hereinafter “PA”) upon Applicants’ request. Applicants submit that only the disclosure of Webb that is supported by the PA can qualify as a prior reference against the current application.

To this extent, Applicants submit that the qualified disclosure of Webb does not disclose or suggest the claimed invention. With respect to independent claims 1, 6, 11, 17, 21, and 24-28, the claimed invention includes, *inter alia*, “the registration information linked to a financial account of the customer with an external financial institution[.]” (Claim 1, similarly claimed in claims 6, 11, 17, 21, and 24-28). Webb discloses a method for scanning a LCD display of symbolic information such as barcodes. (Col. 2, lines 53-55). In the exemplary system 300, Webb only discloses registration of

coupon information which is not a financial account. In addition, in Webb, the coupon information is registered between a customer and a store, but is not “with an external financial institution”.

Webb discloses that the coupon redemption may be processed “as if the manufacturer or other coupon issuer has a specialized credit card to be used in the redemption of electronic coupons.” (Col. 13, lines 10-13). However, a specialized credit card of the coupon issuer in the redemption of the coupon is different than a financial account of a customer (in Webb, the coupon holder).

In the Office Action, the Office cites various disclosures of Webb that peripherally suggest the use of Webb in the field of financial transactions. (Office Action at pages 2-3). However, all of the cited disclosures of Webb are not supported by the PA and are not qualified as a prior art reference. The PA only discloses the scannable dynamic barcode in “the generation, distribution, storage and redemption of wireless coupons for use by in-store consumers carrying mobile devices.” (PA at page 8). In the comprehensive and very exclusive list of alternatives (section 1.3, beginning at page 11 of PA), the PA only peripherally mentions that “the central data center transmits a signal to register that is equivalent to cash” in the amount being redeemed, which is the same as the signal provided by a credit company for clearing a credit card transaction. (PA at pages 11-12, section 1.3.2). The PA does not disclose that “the registration information [is] linked to a financial account of the customer with an external financial institution”. In section 5, the PA discloses the potential use of the wireless handheld device in other membership programs, but the wireless device is only used to recognize the device holder as a member of the of the membership program, but is not linked to a financial account of the customer with an external financial institution. In view of the foregoing, the PA does not support the cited disclosures of Webb, which disqualifies the cited disclosures as a prior art reference. The

qualified disclosure of Webb does not disclose or suggest the claimed limitations of the current invention.

In addition, even the cited disclosure only peripherally suggests that the Webb disclosure may be used in credit card transaction. The peripheral mentioning of a credit card in Webb does not disclose sufficiently to enable an implementation of the claimed details of the current invention.

In view of the foregoing, Webb does not disclose or suggest the claimed invention. Accordingly, Applicants respectfully request withdrawal of the rejection.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

/Jianping Zhang/

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